

## **EXHIBIT 1**

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF INDIANA  
TERRE HAUTE DIVISION

ENAAM ARNAOUT, <i>et al.</i> ,	)	
	)	
Plaintiffs,	)	
	)	
v.	)	No. 2:09-CV-00215 LJM-WGH
	)	
WARDEN, FEDERAL CORRECTIONAL	)	
INSTITUTION, TERRE HAUTE,	)	
INDIANA,	)	
	)	
Defendant.	)	

**Declaration of John Phillip Walker Lindh**

Comes now John Phillip Walker Lindh, being duly sworn upon his oath, and says that:

1. I am an adult person confined to the Communications Management Unit ("CMU") at the Federal Correctional Institution in Terre Haute, Indiana.
2. I am Muslim as are a large majority of the approximately 40 prisoners in the CMU.
3. During the most recent Ramadan, in August and September of 2009, Muslim prisoners were allowed to go to the multi-purpose room in the CMU for three of the five daily prayers required of Muslims.
4. The multi-purpose room is where Muslim prisoners have our Jum'ah prayer every Friday.
- 5 I observed that 100% of all Muslim prisoners or close to 100% participated in the group prayers during the month
6. These prayers occurred without disturbances or incidents.

7. I am aware that some Muslims believe that group prayer is preferred. However, one of the four orthodox schools of Islamic jurisprudence holds that group prayer is mandatory and not merely preferred. I am an adherent to this school and believe that group prayer is mandatory.

8. I believe that Muslims generally believe that group prayer is either preferred or required.

### Verification

I verify, under the penalties for perjury, that the foregoing representations are true.

Executed on: 1 / 13 / 10  
(date)

A handwritten signature in black ink, appearing to read "Kenneth J. Falk", is written over a horizontal line.

Prepared by:

Kenneth J. Falk  
ACLU of Indiana  
1031 E. Washington St.  
Indianapolis, IN 46202